

REMARKS

Claims 1-22 were pending in the application. Claims 15-20 were withdrawn and are cancelled. Claims 7-14, 21 and 22 are allowed. Claims 1, 2 and 5 stand rejected. Claims 3, 4 and 6 were objected to. Claim 3 is cancelled. Claims 1, 4 and 6 are amended. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 112

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Claim 2 recites "...detecting a *wheel speed acceleration*; and comparing said wheel speed acceleration to a predetermined wheel speed acceleration...". Applicants respectfully submit that there is antecedent basis in claim 2 for the recitation of "...said wheel speed acceleration". Furthermore, claim 1 (upon which claim 2 depends) has been amended to include the recitations of claim 3, which was objected to by the Examiner. As discussed below, amended claim 1 should be in condition for allowance. Applicants accordingly submit that claim 2 also should be allowed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hirao et al. (U.S. Pat. No. 5,636,909). This rejection is respectfully traversed.

As further discussed below, claim 1 is amended to include the recitations of claim 3. Claims 2 and 5 depend from amended claim 1. Applicants submit that when the recitations of claims 2 and 5 are considered together with the recitations of amended claim 1, claims 2 and 5 should be allowed.

REJECTION UNDER 35 U.S.C. § 103

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hirao et al. (U.S. Pat. No. 5,636,909) in view of Koga et al. (U.S. Pat. No. 6,505,139). This rejection is respectfully traversed.

As further discussed below, claim 1 is amended to include the recitations of claim 3. Claim 5 depends from amended claim 1. Applicants submit that when the recitations of claim 5 are considered together with the recitations of amended claim 1, claim 5 should be allowed.

ALLOWABLE SUBJECT MATTER

The Examiner has found claims 7-14, 21 and 22 to be allowable. Further, the Examiner states that claims 3, 4 and 6 would be allowable if rewritten in independent form. (As to claim 4, it is stated in the Office Action Summary, but not explicitly in the Detailed Action, that claim 4 is objected to. Since claim 4 is not mentioned in the Detailed Action, Applicants have assumed that the claim is objected to.) Accordingly, Applicants have amended claim 1 to include the recitations of claim 3, and claims 4 and 6 are amended to recite the recitations of claim 1. Therefore, claims 1-2, 4-14 and 21-22 should now be in condition for allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: 4/7/06

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